

IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently Amended): A reproducing apparatus, comprising:

a contents data recording medium in which a plurality of contents data are recorded;

environmental variable acquisition means for acquiring environmental variables;

reproduction history storage means for preserving identification information of [[the]]

reproduced contents data combined with the environmental variables at [[the]] a time of reproduction; and

reproduction control means for ~~selecting and reproducing contents data from said contents data recording medium based on~~ calculating a similarity value between environmental variables at present and environmental variables stored in said reproduction history storage means for each of the plurality of contents data, and for selecting and reproducing contents data whose similarity value is judged to be closest to a predetermined threshold.

Claim 2 (Original): The reproducing apparatus according to claim 1,

wherein said environmental variables include at least one of location information, time information and environmental information,

positioning means to specify the location is provided when said environmental variables include location information;

timer means to measure the time is provided when said environmental variables include time information; and

an environmental information sensor to measure the environmental information is provided when said environmental variables include environmental information.

Claim 3 (Currently Amended): The reproducing apparatus according to claim 1,  
wherein said environmental variables include at least two of location information,  
time information and environmental information, [[and]]

said reproduction control means obtains said similarity value with respect to any one  
of location information, time information and environmental information of said  
environmental variables[[:]],

obtains said similarity value with respect to the other information than said one of  
information when a plurality of similar environmental variables based on this similarity value  
exist; and

selects and reproduces the contents data from said contents data recording medium  
based on this similarity value.

Claim 4 (Currently Amended): The reproducing apparatus according to claim 1,  
further comprising:

attribute information storage means to preserve attribute information of said contents  
data associated with identification information of said contents data,

wherein when it is judged based on said similarity value obtained that no  
environmental variables of the past similar to environmental variables at present exist, said  
reproduction control means obtains a closeness value as a measure of suitability between  
environmental variables at present and the attribute information of said contents data, and  
selects and reproduces the contents data from said contents data recording medium based on  
the measure of suitability.

Claim 5 (Currently Amended): The reproducing apparatus according to claim 1,  
further comprising:

communication control means for transmitting environmental variables at present to a remote service center ~~wherein~~ when it is judged based on said similarity ~~obtained~~ value that no environmental variables of the past similar to environmental variables at present exist, and for receiving identification information from the remote service center, ~~said reproduction control means sends environmental variables at present to a service center, and~~

wherein the reproduction control means selects and reproduces the contents data from said contents data recording medium based on the identification information ~~sent~~ received from the service center, and

said service center includes[[:]]

storage means to record said attribute information of the contents data associated with the identification information of the contents data, and

selection control means to select the identification information of the contents data judged to be close to the environmental variables based on [[the]] suitability between the environmental variables supplied and said attribute information, and to [[send]] transmit the identification information to said ~~reproduction~~ communication control means.

Claim 6 (Currently Amended): A reproduction control method, comprising ~~the steps~~ of:

storing identification information of contents data to be reproduced associated with environmental variables at [[the]]a time of reproduction;

~~obtaining the~~ calculating a similarity value between environmental variables at present and [[said]]the stored environmental variables; and

selecting and reproducing contents data whose calculated similarity value is closest to a predetermined threshold ~~based on said similarity~~.

Claim 7 (Currently Amended): The reproduction control method according to claim 6, further comprising ~~the step of~~:

selecting contents data based on ~~[[the]]~~ a closeness between environmental variables at present and attribute information of the contents data, when it is judged based on said similarity value that no environmental variables of the past similar to environmental variables at present exist.

Claim 8 (Currently Amended): The reproduction control method according to claim 7, further comprising:

transmitting the environmental variables at present to a remote service center;  
~~wherein said similarity obtaining step and/or said selection step is performed~~ selecting  
at ~~[[a]]~~ the remote service center contents data to be reproduced; and  
~~after the result is received, the contents data is reproduced based on the result~~  
reproducing the selected contents data to be reproduced.

Claim 9 (New): The reproducing apparatus according to claim 1, wherein the reproduction control means calculates the similarity value based on the equation:

$$S_n = W_c \cdot \sqrt{(x - x_n)^2 + (y - y_n)^2} + W_m \cdot |m - m_n| + W_t \cdot |t - t_n| + W_p \cdot |p - p_n|$$

where  $S_n$  is the calculated similarity value,  $W_c$  is a weight factor of location,  $x$  is a present longitude,  $x_n$  is nth history of longitude,  $y$  is a present latitude,  $y_n$  is nth history of latitude,  $W_m$  is a weight factor of time,  $m$  is a current time,  $m_n$  is nth history of time,  $W_t$  is a weight factor of temperature,  $t$  is a current temperature,  $t_n$  is nth history of temperature,  $W_p$  is a weight factor of pressure,  $p$  is a current pressure, and  $p_n$  is nth history of pressure.

Claim 10 (New): A reproducing apparatus, comprising:

a contents data recording medium in which a plurality of contents data are recorded;  
an environmental data acquisition unit configured to acquire environmental data;  
a storage unit configured to store identification information of reproduced contents data combined with the environmental data at a time of reproduction; and  
a controller configured to calculate a similarity value between environmental data at present and environmental data stored in the storage unit for each of the plurality of contents data, and to select and reproduce contents data whose similarity value is judged to be closest to a predetermined threshold.

Claim 11 (New): The reproducing apparatus according to claim 10,  
wherein said environmental data includes at least one of location information, time information and environmental information,  
a positioning unit configured to obtain the location is provided when said environmental data include location information;  
a timer configured to measure the time is provided when said environmental data include time information; and  
an environmental information sensor configured to measure the environmental information is provided when said environmental data include environmental information.

Claim 12 (New): The reproducing apparatus according to claim 10,  
wherein said environmental data includes at least two of location information, time information and environmental information,  
said controller obtains said similarity value with respect to any one of location information, time information and environmental information of said environmental data,

obtains said similarity value with respect to the other information than said one of information when a plurality of similar environmental data based on this similarity value exists; and

selects and reproduces the contents data from said contents data recording medium based on this similarity value.

Claim 13 (New): The reproducing apparatus according to claim 1, further comprising:

an attribute information storage unit configured to store attribute information of said contents data associated with identification information of said contents data,

wherein when it is judged based on said similarity value obtained that no environmental data of the past similar to environmental data at present exist, said controller obtains a closeness value as a measure of suitability between environmental data at present and the attribute information of said contents data, and selects and reproduces the contents data from said contents data recording medium based on the measure of suitability.

Claim 14 (New): The reproducing apparatus according to claim 10, further comprising:

a communication controller configured to transmit environmental data at present to a remote service center when it is judged based on said similarity value that no environmental data of the past similar to environmental data at present exist, and to receive identification information from the remote service center,

wherein the controller selects and reproduces the contents data from said contents data recording medium based on the identification information received from the service center, and

said service center includes

a storage unit configured to record said attribute information of the contents data associated with the identification information of the contents data, and

a selection controller configured to select the identification information of the contents data judged to be close to the environmental data based on suitability between the environmental data supplied and said attribute information, and to transmit the identification information to said controller.

Claim 15 (New): The reproducing apparatus according to claim 10, wherein the controller calculates the similarity value based on the equation:

$$S_n = W_c \cdot \sqrt{(x - x_n)^2 + (y - y_n)^2} + W_m \cdot |m - m_n| + W_t \cdot |t - t_n| + W_p \cdot |p - p_n|$$

where  $S_n$  is the calculated similarity value,  $W_c$  is a weight factor of location,  $x$  is a present longitude,  $x_n$  is nth history of longitude,  $y$  is a present latitude,  $y_n$  is nth history of latitude,  $W_m$  is a weight factor of time,  $m$  is a current time,  $m_n$  is nth history of time,  $W_t$  is a weight factor of temperature,  $t$  is a current temperature,  $t_n$  is nth history of temperature,  $W_p$  is a weight factor of pressure,  $p$  is a current pressure, and  $p_n$  is nth history of pressure.